

REMARKS

The Office Action dated May 17, 2007 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1, 6, 7, 9, 10, 11, 15, 17, 19, 38 and 40 have been amended to more particularly point out and distinctly claim the invention. Claims 47-53 have been added. Claims 2-5, 8, 16, 20-37, 39 and 41-46 have been cancelled without prejudice or disclaimer. No new matter has been added. Claims 1, 6, 7, 9, 10, 11, 15, 17, 19, 38 and 40 and 47-53 are submitted for reconsideration.

Claims 1-13, 15-21 and 24-26 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,943,610 to Endo. Claim 14 was rejected under 35 U.S.C. 13(a) as being unpatentable over U.S. Patent No. 6,808,041 to Endo. Applicants note that U.S. Patent No. 6,808,041 is granted to Demerly and not Endo. Other than the patent number, the Office Action seems to argue that claim 14 is rejected based on the disclosure of Endo. Therefore, Applicants present arguments below to distinguish claim 14 from Endo.

According to the Office Action, Endo fails to teach the threshold value in the range of -0.025 and -0.30. However, the Office Action took official notice that the threshold value in the range of -0.025 and -0.30 is a design choice. Thus, the Office Action rejected claim 14 based on the teachings of Endo. The rejections are traversed as

being based on references that neither teach nor suggest the combination of elements recited in the pending claims 1-13, 15-21 and 24-26 and newly added claims 47-53.

Claim 1, upon which claims 6, 7, 9-15, 17, 19, 48 and 49-50 depend, recites method of controlling the power with which a first station transmits signals to a plurality of second stations. The method includes receiving from each of the plurality of second stations at the first station a power control command having a given value and determining received values of said received power control commands. The method also includes combining the determined received values of the received power control commands from each of the second stations to generate a combined value and comparing the determined received values with a first threshold value, determining a given value for each received power control command based on the comparison, and selecting one of the determined given values in accordance with a predetermined criterion. The method further includes controlling the power at which the first station transmits signals based on the combined value from combining determined received values and the selected determined given value from comparing the determined received values.

Claim 38, upon which claims 40, 47, 51 and 52 depend, recites a device for a first station which in use transmits signals to a plurality of second stations. The device includes means for determining received values of power control command received from said plurality of second stations, each power control command having a given value and means for combining the determined received values of said received power control command from each of the second stations to generate a combined value. The device

also includes means for comparing the determined received values with a first threshold value, determining a given value for each received power control command based on the comparison, and selecting one of the determined given values in accordance with a predetermined criterion. The device further includes means for controlling the power with which the first station transmits to the second stations based on said combined value and the selected determined given value.

As outlined below, Applicants submit that the cited reference of Endo does not teach or suggest the elements of the pending claims.

Endo discloses that transmission power control with dynamic step value depending on a location of a mobile terminal in a radio zone is realized. The mobile terminal detects its location, whether close to a radio base station, a boundary of the radio zone, or an intermediate location, by an intensity of reception field strength of a radio signal transmitted by a radio base station. The radio base station, which has received and measured the radio signal quality transmitted by the mobile terminal, instructs the transmission power control information (increasing or decreasing) to the mobile terminal in accordance with the measured radio signal quality. When decreasing instructions are received repeatedly at the mobile terminal when the mobile terminal is located near the radio base station, a larger step value than a normal case is used for decreasing transmission power of the mobile terminal. When increasing instructions are received repeatedly at the mobile terminal when the mobile terminal is located in the boundary of

the radio zone, a larger step value than the normal case is used for increasing transmission power of the mobile terminal.

Applicants submit that Endo does not teach or suggest the combination of elements recited in the pending claims. Each of the pending claims, in part, recites determining the received values of received power control commands, combining the determined received values from each of the second stations to generate a combined value, and controlling transmission power partly on the basis of the combined value. Endo does not teach or suggest these features.

Col. 2, lines 63 to 67 of Endo discloses adding a predetermined step value to a determined step value to be used for changing the transmission power. According to this section of Endo, this adding relates to adding an increment to a predetermined amount by which the transmission power of the mobile terminal is to be increased or decreased when a power control command is received to increase or decrease. However, this section of Endo does not teach or suggest adding together determined received values of power control commands from a plurality of base stations, as recited in the pending claims. Therefore, Applicants request that the rejections under 102(e) and 103(a) be withdrawn because Endo fails to teach or suggest each of the elements recited in claims 1, 6, 7, 9-15, 17-19, 38, 40 and 47-53.

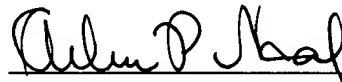
As noted previously, claims 1, 6, 7, 9-15, 17-19, 38, 40 and 47-53 recite subject matter which is neither disclosed nor suggested in the prior art references cited in the

Office Action. It is therefore respectfully requested that all of Claims 1, 6, 7, 9, 10, 11, 15, 17, 19, 38 and 40 and 47-53 be allowed and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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